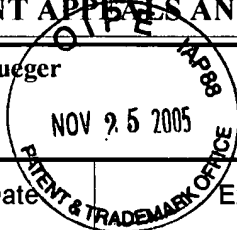


AF/BFW

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)**

Docket No.
LWEP:119US

In Re Application Of: **Ralf Krueger**



Application No.
10/605,492

Filing Date
10/02/2003

Examiner
Joshua L. Pritchett

Customer No.
24041

Group Art Unit
2872

Confirmation No.
2491

Invention: **PHASE SHIFT METHOD AND APPARATUS FOR IMPLEMENTING PHASE-CONTRAST OR
MODULATION-CONTRAST OBSERVATION ON MICROSCOPES**

COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **October 4, 2005** finally rejecting Claim(s) **1-3 and 8-13**

The fee for this Notice of Appeal is: **\$500.00**

- ☒ A check in the amount of the fee is enclosed.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **50-0822**
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

Dated: **November 22, 2005**

**C. Paul Maliszewski
Registration No. 51,990
Simpson & Simpson, PLLC
5555 Main Street
Williamsville, NY 14221-5406
Telephone No. 716-626-1564**

11/25/2005 NNGUYEN1 00000124 10605492

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cc:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

Nov. 22, 2005

(Date)

Signature of Person Mailing Correspondence

C. Paul Maliszewski

Typed or Printed Name of Person Mailing Correspondence